

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

WILLIAM BRADFORD,

Plaintiff,

vs.

LINDA MEADE,

Defendant.

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Cause No. 4:05 CV 75 JCH

MEMORANDUM AND ORDER

This matter is before the Court on Defendant's Motion to Dismiss. Plaintiff filed his original petition in this matter on January 19, 2005. (Complaint, Doc. No. 2). Defendant filed the instant Motion to Dismiss on August 22, 2005. (Doc. No. 13).

Defendant argues that the claim must be dismissed because Plaintiff "failed to indicate the capacity in which he is suing Meade." (Motion to Dismiss, Doc. No. 13, at 1). The Court notes that Plaintiff has since filed an amended complaint against Meade "in both her official and individual capacities," (Amended Complaint, Doc. No. 18, ¶ 5)) so Defendant's motion is now moot.

Accordingly,

IT IS HEREBY ORDERED that Defendant Meade's Motion to Dismiss (Doc. No. 13) is **DENIED**.

Dated this 30th day of December, 2005.

/s/ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE